

UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: COSME GOMEZ, Antonio et al.
Serial No.: Not yet known
Filed: Herewith
For: CRYSTALLINE FORM OF GATIFLOXACIN

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 24, 2006

Dear Sir:

Pursuant to M.P.E.P. §609 and 37 C.F.R. §§1.56, 1.97-1.99, applicant submits herewith an information disclosure citation which lists references of which the applicant is aware. A copy of each of the references is also submitted herewith.

This submission does not represent that a search has been made or that no better art exists. While the term "references" is used in citing the publications called to the examiner's attention herein, applicants do not make any admission that each or all of them are "prior art" references within the meaning of the statutory and case law.

Applicant reserves the right to contend, where appropriate, that a reference asserted against any claim of the present application is not prior art under the facts and the law.

Applicant also reserves the right to present appropriate arguments and/or evidence to establish patentability over the references, should one or more of the references be applied against the claims of the present application.

Applicant respectfully requests that the examiner independently determine those items which the examiner would consider the most pertinent of all the references cited herein.

Applicant respectfully requests that the references be considered and made of record.

This Information Disclosure Statement is being filed simultaneously with the filing of the application and therefore no fee is due. However, in the event that a fee is required, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23-2820.

Respectfully submitted,

By:



Noam R. Pollack
Reg. No. 56,829

Encls. PTO-1449
4 References
International Search Report

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10/573329

IAP9 Rec'd PCT/PTO 24 MAR 2006

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| FORM PTO-1449 (REV. 7-80) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTY. DOCKET NO.: 832.1360- DF1001-830903 | | SERIAL NO.: Not yet known | |
| LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary) | | | | APPLICANT(S): COSME GOMEZ, Antonio et al. | | | |
| | | | | FILING DATE: Herewith | | GROUP: Not yet known | |

| U.S. PATENT DOCUMENTS | | | | | | | | | | | | | | |
|-----------------------|----|-----------------|---|---|---|---|---|---|---------|------------------|------|-------|----------|-------------------------------|
| *EXAMINER INITIAL | | DOCUMENT NUMBER | | | | | | | | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | AA | 5 | 8 | 8 | 0 | 2 | 8 | 3 | 03/1999 | Matsumoto et al. | 544 | 363 | | |
| | AB | | | | | | | | | | | | | |
| | AG | | | | | | | | | | | | | |
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| | AJ | | | | | | | | | | | | | |
| | AK | | | | | | | | | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | | | | | | | | | |
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| | | DOCUMENT NUMBER | | | | | | | | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | | |
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| | AL | 0 | 2 | 3 | 0 | 2 | 9 | 5 | | EPO | | | | | X | |
| | AM | 0 | 8 | 0 | 5 | 1 | 5 | 5 | | EPO | | | | | X | |
| | AN | 0 | 2 | 2 | 2 | 1 | 2 | 6 | | WO | | | | | X | |
| | AO | | | | | | | | | | | | | | | |
| | AP | | | | | | | | | | | | | | | |

| OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | |
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| EXAMINER | DATE CONSIDERED |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.